

HON. JOHN C. COUGHENOUR

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

Wolfire Games, LLC, William Herbert and
Daniel Escobar, individually and on behalf of
all others similarly situated,

Plaintiffs,

vs.

VALVE CORPORATION,

Defendant.

Case No. 2:21-CV-563

**NOTICE OF PENDENCY OF OTHER
ACTION IN ANOTHER JURISDICTION**

Pursuant to Local Rule 3(h), Wolfire Games, LLC, William Herbert and Daniel Escobar, individually and on behalf of all others similarly situated (“Plaintiffs”) respectfully submit this Notice of Pendency of Other Action in Another Jurisdiction to provide notice of the following case: *Sean Colvin, et al. v. Valve Corporation, et al.*, 2:2021-cv-00801 (C.D. Cal.).

There is some limited overlap between this action and the *Colvin* action, and there are also differences. *Colvin* is a putative class action brought under the antitrust laws against Valve Corporation on behalf of two proposed classes of consumers who purchased personal computer (“PC”) games, along with two proposed subclasses of parents who purchased games for their children or dependents but did not play the games themselves. Plaintiffs’ action is brought on behalf of a class of video game developers and consumers who purchased or sold a PC game on the Steam store operated by Valve Corporation. Both *Colvin* and Plaintiffs bring claims for violations of the

1 Sherman Act (15 U.S.C. §§ 1-2). However, Plaintiffs' case includes additional claims under the
 2 Washington State Consumer Protection Act (RCW 19.86). While the *Colvin* action focuses on the
 3 alleged use of most favored nations clauses in Valve contracts, Plaintiffs' case addresses a broader
 4 set of allegedly anticompetitive conduct.

5 At this stage in the litigation, Plaintiffs do not believe that transfer is necessary pursuant to
 6 28 U.S.C. § 1407. Plaintiffs do believe, however, that coordination between the actions, particularly
 7 with regard to conducting discovery, might conserve resources and promote an efficient
 8 determination of the action.

9 DATED May 4, 2021

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28 Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on May 4, 2021, I caused a true and correct copy of the foregoing to be filed in this Court's CM/ECF system, which will send notification of such filing to counsel of record.

DATED: May 4, 2021.

/s/ Alicia Cobb

Alicia Cobb, WSBA #48685